

House Bill 539

By: Representative Cooper of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated,
2 relating to the "Medical Practice Act of the State of Georgia," so as to revise provisions
3 relating to institutional licenses; to provide for a definition; to revise a provision relating to
4 United States Drug Enforcement Administration registration; to provide for related matters;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to the
9 "Medical Practice Act of the State of Georgia," is amended by revising Code Section
10 43-34-33, relating to institutional licenses, as follows:

11 "43-34-33.

12 (a) As used in this Code section, the term 'institution' means a hospital licensed by the
13 Department of Community Health, a board approved medical school, a teaching hospital
14 in this state, or a clinic in this state that services predominantly Medicaid, indigent, and
15 underserved populations.

H. B. 539

16 ~~(a)~~(b) Notwithstanding any other law to the contrary, under exceptional circumstances the
17 board may consider applications from institutions on behalf of physicians who are
18 graduates of international medical schools who the institution wishes to employ but who
19 do not have independent licenses to practice medicine in the State of Georgia. The board
20 shall review the credentials of physicians to ensure that they have adequate training and
21 experience and have confirmation of supervisory oversight of any such physician, prior to
22 awarding any such institutional license. The institutional license shall be jointly awarded
23 to the institution and the physician, indicating that the license to practice medicine is
24 limited to that institution and under proper medical supervision in accordance with this
25 Code section. The institutional license may be renewable biennially, so long as the
26 licensee remains in the employ of the institution requesting the license, provided that such
27 institutional license shall not be prima-facie evidence that the holder thereof meets the
28 minimum basic requirements for examination by the board or for the issuance of a
29 permanent license to practice medicine.

30 ~~(b)~~(c) A person issued an institutional license pursuant to this Code section shall not
31 engage in the private practice of medicine and shall not receive fees or any other
32 remuneration from his or her patients. Persons practicing medicine pursuant to an
33 institutional license issued in accordance with this Code section shall receive as their sole
34 remuneration for the practice of medicine the salary and other remuneration paid by the
35 institution. The license of any person who violates this Code section shall be subject to
36 revocation by the board after notice and opportunity for hearing.

37 ~~(c)~~(d) Any physician applying for an institutional license who meets all other requirements
38 of the board must also furnish documentation of one year of American Medical Association
39 or American Osteopathic Association approved postgraduate training (internship or
40 residency), or other training acceptable to the board.

41 ~~(d)~~(e) Institutional license holders shall not be permitted to apply for a United States Drug
42 Enforcement Administration registration number to write prescriptions to be filled outside

43 the institution, unless the institution is a clinic in this state that services predominantly
44 Medicaid, indigent, and underserved populations."

45 **SECTION 2.**

46 All laws and parts of laws in conflict with this Act are repealed.